

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ESTATE OF ADAM CHRISTOPHER
JENSEN, by the Personal Representative
PAULA DOW, *et al.*,

Plaintiffs,

v.

COUNTY OF SNOHOMISH, *et al.*,

Defendants.

CASE NO. C20-1320-JCC

ORDER

This matter comes before the Court on Defendants' motions to compel (Dkt. Nos. 66, 70). Having thoroughly considered the parties' briefing and the relevant record, the Court finds oral argument unnecessary and hereby DENIES the motions for the reasons explained herein.

This case involves the fatal shooting of Adam Jensen by the Snohomish County Sheriff's Department on September 9, 2018. (*See generally* Dkt. No. 27-1.) During the discovery process, Defendants sought various health records for Mr. Jensen. (*See* Dkt. No. 67 at 27.) Plaintiffs produced records containing redactions. (*See* Dkt. Nos. 67 at 5, 71 at 2.) They claimed the redactions related to third-party health information. (*Id.*) Dissatisfied with the response and unable to come to an agreement on removal of the redactions, Defendants moved to compel the production of unredacted versions of the health records. (Dkt. Nos. 66, 70.)

1 As the Court has repeatedly indicated, discovery motions are strongly disfavored. *See,*
2 *e.g., Lillywhite v. AECOM*, 2020 WL 4501596, slip op. at 2 (W.D. Wash. 2020); *Williams v.*
3 *Perdue*, 2020 WL 1703787, slip op. at 1 (W.D. Wash. 2020). Nevertheless, the Federal Rules of
4 Civil Procedure provide that a party may move to compel the production of discoverable
5 information. *See* Fed. R. Civ. P. 37(a)(1). “Parties may obtain discovery regarding any
6 nonprivileged matter that is relevant to any party’s claim or defense.” Fed. R. Civ. P. 26(b)(1).

7 Based on the Court’s *in camera* review of unredacted copies of Mr. Jensen’s Banner
8 Health Behavioral Health and Columbia Valley Community Health records, the Court concludes
9 that the redacted portions of these records contain third-party health information not relevant to
10 this case. Therefore, this redacted information is not discoverable.

11 For the foregoing reasons, Defendants’ motions to compel (Dkt. Nos. 66, 70) are
12 DENIED. The Court declines to award attorney fees, as both parties’ actions in this matter were
13 substantially justified.

14 DATED this 5th day of August 2021.

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18 John C. Coughenour
19 UNITED STATES DISTRICT JUDGE
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